

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	M.B.D. Case No. 23-MC-91134-ADB
)	
YANELIS LARA,)	
Defendant)	

**ASSENTED-TO MOTION FOR ENDS-OF-JUSTICE CONTINUANCE
OF TIME FOR FILING AN INDICTMENT OR INFORMATION,
AND EXCLUSION OF TIME,
UNDER THE SPEEDY TRIAL ACT**

The United States of America, with the assent of the defendant, respectfully moves this Court to grant a continuance of the time within which an indictment or information must be filed, and exclude the time period from February 27, 2023, through and including April 26, 2023, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), on the ground that the ends of justice served by granting the requested continuance and excluding these periods outweigh the best interests of the public and the defendant in a speedy trial. The government further asks this Court to issue the attached proposed *Order of Continuance and Excludable Delay*. In support of this request, the government states as follows:

1. The parties have been engaged in preliminary discussions regarding the possible resolution of this matter (which was initiated by a criminal complaint in *United States v. Yanelis Lara*, 23-mj-08004-PGL charging the defendant with violations of 18 USC §§ 844(e) and 875(c)) that might result in a resolution which would obviate the need for an indictment.

2. The requested exclusion of time will permit the defendant to undergo a comprehensive mental health evaluation, for defense counsel to adequately confer with the defendant regarding a resolution of this matter, and allow the parties to determine if an agreement can be reached which will obviate the need for an indictment. A comprehensive mental health evaluation, may work to the defendant's benefit and would assist both the government's and, ultimately, the Court's assessment of the appropriate path forward in this matter.

3. The parties agree that, if the requested time is excluded, the government has until April 26, 2023, to return an indictment in this case. No previous extension has been requested.

4. The defendant is not being held in custody on the basis of the complaint. She is currently on home detention.

5. A proposed order is attached.

Respectfully submitted,

RACHAEL S. ROLLINS
United States Attorney

By: s/ John T. McNeil
JOHN T. McNEIL
Assistant U.S. Attorney

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants.

By: s/ John T. McNeil
JOHN T. McNEIL
Assistant U.S. Attorney